



STATE OF CALIFORNIA

# STATE BOARD OF EQUALIZATION

1020 N STREET, SACRAMENTO, CALIFORNIA  
(P.O. BOX 942879, SACRAMENTO, CALIFORNIA 94279-0001)

(916) 445-3956

WILLIAM M. BENNETT  
First District, Kentfield

CONWAY H. COLLIS  
Second District, Los Angeles

ERNEST J. DRONENBURG, JR.  
Third District, San Diego

PAUL CARPENTER  
Fourth District, Los Angeles

GRAY DAVIS  
Controller, Sacramento

CINDY RAMBO  
Executive Director

February 21, 1990

No. 90/13

TO: COUNTY ASSESSORS, COUNTY COUNSELS  
AND OTHER INTERESTED PARTIES

## NOTICE OF PROPOSED REGULATORY ACTION BY THE STATE BOARD OF EQUALIZATION

### RULE 904

Unitary and Nonunitary Property Value  
Determinations and Petitions for Reassessment

PUBLIC HEARING: MONDAY, APRIL 30, 1990

### NOTICE IS HEREBY GIVEN

The State Board of Equalization proposes to amend Rule 904, Unitary and Nonunitary Property Value Determinations and Petitions for Reassessment, in Title 18 of the California Code of Regulations, relating to property taxes. A public hearing relevant to this action will be held in Room 102, Consumer Affairs Building, 1020 N Street, Sacramento, California, at 2:00 p.m. on Monday, April 30, 1990. Any person interested may present statements or arguments orally at that time and place. Written statements or arguments will be considered by the Board if received by April 30, 1990.

### INFORMATIVE DIGEST

California Constitution, Article XIII, section 19 directs the California State Board of Equalization to assess pipelines, flumes, canals, ditches, and aqueducts lying within two or more counties and property, except franchises, owned or used by regulated railroad, telegraph, or telephone companies, car companies operating on railways in the state and companies transmitting or selling gas and electricity. The California Legislature has directed the Board to annually value and assess all of the taxable property within the state that is to be assessed by it pursuant to section 19 of Article XIII of the

California Constitution and any legislative authorization thereunder. (Revenue and Taxation Code section 721.) An assessee of a Board assessment may contest such assessment by filing a petition for reassessment. (Revenue and Taxation Code section 741 through section 744.) The Board of Equalization is required by law to notify an assessee of its assessment by the Board of Equalization (Revenue and Taxation Code sections 731, 732, and 733), and to notify the assessee of the time limits within which the assessee may file a petition for reassessment (Revenue and Taxation Code sections 731, 732, and 733.) In order to implement the constitutional and statutory directives, the Board of Equalization promulgated Rule 904. The Rule was first adopted January 7, 1976, and amended June 29, 1978, and July 27, 1982. Since that time the Revenue and Taxation Code sections, utilized as a basis for the rule, were amended in 1986 by Assembly Bill 2890 (Statutes 1986, Chapter 1457). The Board is therefore amending Rule 904 as follows, to conform the Rule to the statutory changes set forth in Assembly Bill 2890:

Subsection (a) is correct as written. The word "will" is changed to "shall" in the second sentence following the words "Chief of the Valuation Division". The source and authority for part (a) is Revenue and Taxation Code section 731.

Subsection (b) is changed to conform the section to Revenue and Taxation Code section 732. The first sentence is changed to read "the last day of June" instead of "the last day of July." The word "will" is changed to "shall" after the words "Chief of the Valuation Division."

Subsection (c) is amended to conform the rule to Revenue and Taxation Code sections 746, 732, and 756. The first sentence is changed to read "on or before the last day of June" instead of "on or before July 31." The words "Board shall transmit" are changed to "the Chief of the Valuation Division shall transmit". The last sentence is changed to read "no later than July 31" instead of "no later than August 19 each year".

#### COST TO LOCAL AGENCIES AND SCHOOL DISTRICTS

The State Board of Equalization has determined that the proposed change does not impose a mandate on local agencies or school districts. Further, the Board has determined that the change will result in no direct or indirect cost or savings to any State agency, any local agency or school district that is required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code or other nondiscretionary cost or savings imposed on local agencies, or cost or savings in Federal funding to the State of California.

## EFFECT ON SMALL BUSINESS

The cost impact on private persons or businesses will be insignificant. This proposal will not have a significant adverse economic impact on small businesses.

## AUTHORITY

Government Code Section 15606.

## REFERENCE

Sections 721, 731, 732, 746, 749, 756 Revenue and Taxation Code.

## CONTACT

Questions regarding the content of the rule should be directed to Deputy Director, Property Taxes Department, at (916) 445-1516, at 1020 N Street, Sacramento, CA 95814.

Written comments for the Board's consideration or requests to present testimony and bring witnesses to the public hearing should be directed to Janice Masterton, Assistant to Executive Director, (916) 445-6479, at the same address.

## ALTERNATIVES CONSIDERED

The Board must determine that no alternative considered would be more effective in carrying out the purpose for which the action is proposed or be as effective and less burdensome to affected private persons than the proposed action.

AVAILABILITY OF STATEMENT OF REASONS AND  
TEXT OF PROPOSED REGULATIONS

The Board has prepared a statement of reasons and a strike-out and underscore version (express terms) of the proposed changes. Both of these documents and all information on which the proposal is based are available to the public upon request. The rulemaking file is available for public inspection at Room 134, 1020 N Street, Sacramento, California.

## ADDITIONAL COMMENTS

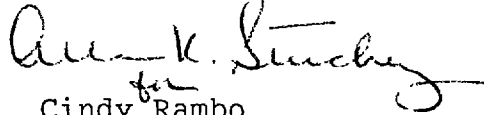
In the event there are any staff memoranda included in the rulemaking file after the close of the public hearing, these memoranda will be available to the public upon request from Mrs. Masterton for a period of 15 days after the public hearing.

In the event there are any revisions sufficiently related to the published version of the rule, these revisions will be mailed to those interested parties that commented orally or in writing or that asked to be informed of such changes and will be available to the public from Mrs. Masterton for a period of 15 days before adoption.

Following the hearing, the State Board of Equalization, upon its own motion, or at the instance of any interested persons, may in accordance with law adopt the changes proposed without further notice.

Dated: February 16, 1990

STATE BOARD OF EQUALIZATION



Cindy Rambo  
Executive Director

~~Rule 904. UNITARY AND NONUNITARY PROPERTY VALUE DETERMINATIONS AND  
PETITIONS FOR REASSESSMENT~~

Reference: Sections 721, 722, 723, 724, 725, Revenue and Taxation Code.

(a) As soon as practical, the staff shall transmit unitary-value recommendations to the Board. Following this, but no later than May 31 each year, the Board will make and publicly announce individual value determinations. The Chief of the Valuation Division will notify the state assesseees of the values determined by the Board and the fact that they have 20 days from the date of the mailing of the notice to file their declaration of intent to petition for reassessment. The notice will also inform each assessee that if a declaration of intent is timely filed, the assessee has 30 days from the deadline for filing a declaration of intent to file a petition for reassessment. The notice shall be accompanied by a copy of an appraisal data sheet containing the staff value indicators and value recommendation to the Board.

(b) As soon as practical on or before the last day of July, the Chief of the Valuation Division will notify the state assesseees of the values of nonunitary property. This notice shall inform the assesseees that they each have 20 days from the date of the mailing of their individual notice to file a declaration of intent to petition for reassessment. The notice will also inform each assessee that if a declaration of intent is timely filed, the assessee has 30 days from the deadline for filing a declaration of intent to file a petition for reassessment.

(c) On or before July 31 the Board shall transmit notices of allocated assessed unitary values to each assessee. This notice will inform each assessee that it has 10 days from the date of the mailing of the notice to petition the Board for reallocation of unitary values and that said petitions ~~will be set for hearing and decisions rendered no later than August 19 each year.~~

History: Adopted January 7, 1976, effective February 8, 1976.

Amended June 29, 1978, effective August 6, 1978.

Amended July 27, 1982, effective February 10, 1983.

Rule 904. UNITARY AND NONUNITARY PROPERTY VALUE  
DETERMINATIONS AND PETITIONS FOR REASSESSMENT.

(a) As soon as practical, the staff shall transmit unitary-value recommendations to the Board. Following this, but not later than May 31 each year, the Board will make and publicly announce individual value determinations. The Chief of the Valuation Division ~~will~~ shall notify the state assesseees of the values determined by the Board and the fact that they have 20 days from the date of the mailing of the notice to file their declaration of intent to petition for reassessment. The notice will also inform each assessee that if a declaration of intent is timely filed, the assessee has 30 days from the deadline for filing a declaration of intent to file a petition for reassessment. The notice shall be accompanied by a copy of an appraisal data sheet containing the staff value indicators and value recommendation to the Board.

(b) As soon as practical on or before the last day of ~~July~~ June, the Chief of the Valuation Division ~~will~~ shall notify the state assesseees of the values of nonunitary property. This notice shall inform the assesseees that they each have 20 days from the date of the mailing of their individual notice to file a declaration of intent to petition for reassessment. The notice will also inform each assessee that if a declaration of intent is timely filed, the assessee has 30 days from the deadline for filing a declaration of intent to file a petition for reassessment.

(c) On or before ~~July/31~~ the last day of June the ~~Board~~ Chief of the Valuation Division shall transmit notices of allocated assessed unitary values to each assessee. This notice will inform each assessee that it has 10 days from the date of the mailing of the notice to petition the Board for reallocation of unitary values and that said petitions will be set for hearing and decisions rendered no later than ~~August/10/each/year~~ July 31.

Reference: Sections 721, 731, 732, 746, 749, 756, Revenue  
and Taxation Code.

Authority: Government Code section 15606

RRK:mw  
2969H